

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

United States of America,

Plaintiff, Case No. 15-cr-20338

v.

Judith E. Levy
United States District Judge

Durand Micheau, *et al.*,

Mag. Judge Mona K. Majzoub
Defendants.

/

ORDER

On January 30, 2017, the Court held a hearing at which all defendants and counsel were present. The Court first addressed defendants' "Objection to Stipulations to Continue Trial" (Dkt. 93), and denied it for the reasons set forth on the record.

The Court next addressed defendant Durand Micheau's desire to represent himself. (Dkt. 98.) The Court engaged in the colloquy set forth in Exhibit 1 to the Government's brief. (Dkt. 100-1.) The Court determined, for the reasons set forth on the record, that defendant Micheau knowingly and voluntarily waived his Sixth Amendment right to counsel. The Court appointed John M. McManus as stand-by counsel.

In light of this development, the Court gave Mr. Micheau until 5 PM on February 1, 2017 to indicate whether he will be prepared for trial by February 14, 2017.¹ If not, his case will be severed and a trial date will be set.

The Court then conferred with defendants Anthony Gandy and Christopher Gandy regarding the “Termination Letters” they submitted to the Court. (Dkts. 103, 104.) After discussing the letters with defendants and their counsel, the Court determined that the letters were motions to substitute counsel. And after further hearing from defendants and their counsel, the Court denied defendants’ motions for the reasons set forth on the record.

Next, defendant Seay withdrew her motion to strike. (Dkt. 95.)

The Court then set the schedule for the case as follows:

The plea cut-off for all defendants is extended to February 3, 2017, and no further extension will be granted. Defendants shall notify the Court whether or not they intend to change their pleas by 5 PM on February 3, 2017.

¹ On January 31, 2017, defendant Micheau contacted the Court to indicate that he will not be prepared for trial by February 14, 2017.

The trial for all defendants aside from Mr. Micheau, shall proceed as scheduled, starting on February 14, 2017 at 8:30 AM.

The joint statement of the case is due on February 7, 2017.

The parties shall submit, by 5 PM on February 7, 2017, a list of *voir dire* questions. The parties shall file all proposed questions on the docket.

A joint set of jury instructions is due by 5 PM on February 10, 2017. Any party objecting to all or part of the instructions shall file their objection separately with their proposed instruction attached.

IT IS SO ORDERED.

Dated: January 31, 2017
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 31, 2017.

s/Felicia M. Moses

FELICIA M. MOSES
Case Manager